IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

WEDNESDAY, THE 14TH NOVEMBER 2007 / 23RD KARTHIKA 1929

WP(C).No. 11468 of 2007(M)

PETITIONER:

SREENARAYANA VANITHA HANDLOOM WEAVERS INDUSTRIAL (PRODUCTION-CUM-SALE) CO-OP.SOCIEITY LTD.NO.H.IND.T.684,THIRUVANANTHAPURAM REP. BY ITS SECRETARY.

BY ADV. SRI.D.SOMASUNDARAM

RESPONDENTS:
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1. GENERAL MANAGER, DISTRICT INDUSTRIES CENTRE,THIRUVANANTHAPURAM.

2. DIRECTOR OF HANDLOOM AND TEXTILES, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SMT. ANU SIVARAMAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 14/11/2007 ALONG WITH WPC NOS. 23563/2007 AND 23564/2007 THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 14468/2007 M

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE REGISTRATION CERTIFICATE ISSUED UNDER SECTION 8 OF THE ACT DT. 22/4/96.

EXT.P2. COPY OF THE ORDER NO. CS 11/4966/096 DT. 19/3/07 OF THE R1.

EXT.P3. COPY OF THE ORDER IN CMP NO. 29562/99 IN OP NO. 7747/98 DT. 16/08/99 OF THIS COURT.

EXT.P4. COPY OF THE JUDGMENT IN OP NO. 23210/98 DT. 13/4/00 OF THIS COURT.

EXT.P4A. COPY OF THE GOVT. ORDER NO. 21998/C2/96/ID DT. 20/7/96 OF THE R2.

EXT.P5. COPY OF THE REPRESENTATION BY THE PETITIONER BEFORE THE R1 DT. 22/3/2007.

EXT.P6. COPY OF THE RESOLUTION DT. 14/09/2007.

ANNEXURE I: COPY OF THE RESOLUTION.

RESPONDENT'S EXHIBITS NIL.

True copy

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THOTTATHIL B.RADHAKRISHNAN, J.

W.P(C).Nos.11468, 23563 & 23564 OF 2007

Dated this the 14th day of November, 2007

JUDGMENT

By Government letter No.21998/C2/92/ID dated 20.7.1996, it was directed that those Handloom Weavers' Co-operative Societies registered during 1994-95 and 1995-96 in Thiruvananthapuram district should not be extended any financial assistance until an enquiry is got completed by the Finance (Inspection Wing) Department. That decision has been quashed by this Court by judgment dated 13.4.2000 in O.P.No.23210/98. Apart from the fact that the said Government letter does not survive that judgment, I am also in complete agreement with the views expressed by the learned Judge in that judgment and the reasons stated for quashing the said Government letter. This means that the claim of the petitioners which are co-operative societies in Thiruvananthapuram district are entitled to be considered in terms of the guidelines, rules, regulations etc. as are applicable.

In the result, these writ petitions are disposed of directing that the claims of the petitioners for financial assistance and all other benefits, as are available to Handloom Wavers' Co-operative Societies like the petitioners, shall be taken up and decided upon by the appropriate official respondents within an outer limit of two months from the date of receipt of a copy of this judgment. It is further clarified that the delay shall not be a ground for refusing reliefs, if the petitioners are otherwise entitled to.

Sd/-

THOTTATHIL B.RADHAKRISHNAN,
Judge

kkb.